LEVINE, BLASZAK, BLOCK & BOOTHBY
1300 CONNECTICUT AVENUE, NW
SUITE 500
WASHINGTON, D.C. 20036-1703
(202) 223-4980
FAX (202) 223-0833

December 11, 1996

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, NW.
Washington, D.C. 20554

Re: In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Telident Part 68 Ex Parte, CC Docket No. 94-102

Dear Mr. Caton:

Pursuant to the Public Notice released November 25, 1996 in the above captioned matter, enclosed please find an original and nine copies of the Comments of the Ad Hoc Telecommunications Users Committee. Please date stamp the additional copy and return it with our messenger.

If you have any questions regarding this filing, please do not hesitate to call.

Sincerely,

Mary K. O'Connell

Enclosures

200/06/teliltr.doc

Before the
Federal Communications Commission
Washington, D.C. 20554

| | | |
|---|---|---|
| In the Matter of | ) | |
| Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems | ) | CC Docket No. 94-102<br>Telident Part 68 Ex Parte |

Comments of the
Ad Hoc Telecommunications Users Committee

The Ad Hoc Telecommunications Users Committee ("Ad Hoc") submits these comments in response to the October 30, 1996 *ex parte* filing of Telident concerning technical standards for enhanced 911 ("E-911") multi-line telephone system ("MLTS") compatibility. As discussed below, Telident's filing, to the extent that it proposes a system of mandatory station number and location identification capabilities for all MLTS (which conveniently is the product that Telident sells) is not justifiable on public policy grounds. It would be counter-productive in many cases and wasteful under any reasonable cost/benefit analysis. Moreover, Telident's *ex parte* is ambiguous and skeletal. Presented under the guise of "definitional" changes, without any narrative as to Telident's rationale for its proposals (or the costs to implement them), commentors are left to speculate about the purpose and effect of Telident's *ex parte* filing.

The Commission's proposal for MLTS E-911 compatibility would require MLTS manufactured after a certain date to have the capability of providing the station number of the calling party to the appropriate public safety agency, regardless of the size or type of business/agency served by such MLTS.[1] As demonstrated by Ad Hoc and other parties including equipment manufacturers, some local exchange carriers and other telecommunications users, such an approach would impose exceptional and unwarranted costs on users and fails to take into account the enormous variety of situations in which the proposed rules would have to operate.[2]

To the extent that Telident's proposed rules would (1) mandate that all MLTS have the capability of providing calling station specific location information, (2) require that callers can access public safety answering points ("PSAPs") regardless of the dialing sequence in place in the work environment, and (3) place the burden of identifying the location-appropriate emergency response provider on the party utilizing a MLTS, the concerns raised by Ad Hoc

---

1 *See In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, CC Docket No. 94-102, Notice of Proposed Rulemaking, 9 FCC Rcd 6170 (1994) ("NPRM") at Appendix C, Sections 68.320(b) and (f).

2 *See generally In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems,* CC Docket No. 94-102, Comments of the Ad Hoc Telecommunications Users Committee, the California Bankers Clearing House and the New York Clearing House Association, January 9, 1995 ("Ad Hoc Comments"); *In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems,* CC Docket No. 94-102, Reply Comments of the Ad Hoc Telecommunications Users Committee, the California Bankers Clearing House and the New York Clearing House Association, March 17, 1995 ("Ad Hoc Reply Comments"); *In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems,* CC Docket No. 94-102, Comments of the International Communications Association, January 9, 1995.

(and others) in its comments and reply comments in response to the Commission's NPRM in this docket apply to Telident's suggested rule changes.

The ambiguity of Telident's proposal, however, warrants emphasis. Telident does not specify the type of information MLTS operators must provide to the PSAPs. Telident advocates a definition of enhanced 911 compatibility which is based on the ability to provide the "Caller's Emergency Service Identification (CESID)", as defined as "[t]he number used to identify the calling terminal within the context of the Enhanced 911 system. It is often, but not always, the directory number of the calling terminal."[3] While the company states that the CESID, in *non-dispersed* station applications, may be the trunk group or business line ID, it does not define either *dispersed* station or the attributes of the CESID (i.e., workstation, floor or building) in a *dispersed* station application.

The confusion regarding exactly what type of information the CESID will contain is exacerbated by Telident's implication that the specific attributes of the emergency response location and enhanced 911 trunk and station number verification will be provided by other parties. For example, Telident argues that Sections 68.106 and 68.228 of the Commission's proposed rules should be "Under Definition By Public Safety, Ad Hoc, MMTA" and that the definition of emergency response location is an "action item" for Public Safety "et al."[4]

---

[3] Letter and Attachment Appendix C: Proposed Rules from Martin Moody, Vice President--Advanced Engineering of Telident, Inc., to William F. Caton, Acting Secretary of the Federal Communications Commission, CC Docket No. 94-102 (October 30, 1996) ("Telident *ex parte*") at 3.

[4] *Id.* at 3, 5 and10.

As highlighted by Ad Hoc in its comments, the variety of location identifiers currently used by businesses to mark workstations make a per station or "calling terminal" approach to MLTS E-911 compatibility unworkable.[5] Ad Hoc opposes the Telident approach to the extent that Telident favors a per calling station location and number identification. Telident's *ex parte* filing also raises concerns about the redundant nature of the proposed database, the obligations of MLTS owners in compiling "CESID attributes" into the database and maintenance of such a database.[6]

In other significant aspects Telident's proposal fails to take into account the complexities of the business situations in which its rules would apply. As Ad Hoc and other commentors demonstrated previously, a "one size fits all approach" to handling workplace emergencies will not work.[7] Telident, however, argues that *all* MLTS *must* have the capability of providing Enhanced 911 compatibility based on the CESID.[8] Contrary to the Commission's specific request, Telident makes this proposal without providing "detailed analysis of

---

5 Ad Hoc Comments at 4-7.

6 *Id.* at 4-7.

7 Ad Hoc Reply Comments at 6-7.

8 *See* Telident *ex parte* at 4 ("An MLTS must provide Enhanced 911 compatibility".) Telident's public filings on this issue appear to be inconsistent. On the one hand, Telident argues for mandatory MLTS E-911 compatibility, and on the other hand, states that the "wide array of MLTS installation scenarios argues for a broader 'installation specific' approach which considers the unique nature of the specific installation and the specific E-911 environment rather than merely requiring that a given piece of equipment perform a given function." *In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems,* Comments of Telident, Inc., January 9, 1995 ("Telident Comments") at 12. This later approach is more consistent with the realities of today's complex business and residential environments in which the E-911 issues arise.

the...cost considerations of implementing [its] proposed rules for equipment owners...and other affected parties."[9]

Notwithstanding the definitional ambiguities of the term "CESID" as discussed above, requiring all MLTS to have the capability of providing calling station location and number information fails to recognize that in certain situations employers do and will employ alternative and adequate means of signaling or responding to emergencies other than through a Telident-type adjunct processor linked to the PSAP. Employers should be given the option of either deploying a Commission mandated telecommunications-based solution or utilizing workplace safety procedures for signaling and responding to emergencies, particularly given the lack of evidence of demonstrated harm in this proceeding.[10]

Telident, like the Commission, also proposes a system that would require businesses to provide direct access to a PSAP whenever a caller dials "911"[11] By modifying the traditional, established and employee-familiar dialing

---

[9] See NPRM ¶ 21. Telident's *ex parte* contains no information regarding the costs of implementing its proposal for E-911 MLTS compatibility, and Telident's comments discuss only briefly the "appropriate" charges the LEC may impose on the MLTS owner, not the total costs of the Telident proposal.

[10] Ad Hoc also disputes Telident's support of the Commission's proposal that all MLTS also notify (in addition to the PSAP) a security desk or other MLTS attendant position to advise them of the emergency. *See* Telident *ex parte* at 8 [Section 68.320(b) (Attendant Notification)] and Telident Comments at 2 (noting that Telident's patented system currently provides notification to MLTS personnel). In some workplace environments, other procedures, personnel and alarm systems may be more effective in responding to emergency conditions. Effective and reasonable responses, rather than particular products or technology, is surely the Commission's goal.

[11] *See* Telident *ex parte* at 8 [Section 68.320(a) (Operability)], NPRM at Appendix C, Section 68.320(c).

patterns in specific work environments to require access to 911 without dialing an additional prefix digit such as "8" or "9" to secure an outside line, Telident's proposal could create confusion among employees and would impose unnecessary costs on MLTS owners by requiring them to modify MLTS to reach the PSAP without dialing the normal prefix used to access an outbound line.[12] Ad Hoc urges the Commission to adopt an approach that does not require alteration of the conventional dialing pattern utilized by employers at specific locations for reaching the PSAP to the extent that employers would opt to implement a telecommunications-based response to emergency conditions.

Telident's failure to clearly define and explain how E-911 compatibility would operate in a dispersed telephone system also raises concerns regarding which party (i.e., the MLTS operator or the PSAP) would be responsible for signaling the appropriate emergency response team to respond to the emergency call. In the situation where one company has many locations within a city, for example, it is possible that more than one fire, police or other emergency response team would be the jurisdictionally designated entity to respond to emergencies depending upon the location of the caller. If employers choose to implement a telecommunications-based response to workplace

---

[12] *See In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems,* Comments of the Telecommunications Association, January 9, 1995, at 4, 6 and 9; *In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems*, Comments of Washington and Oregon Telecommunications Ratepayers Association for Cost-Based Equitable Rates, January 9, 1995, at 9; *In the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems,* Comments of UTC, January 9, 1995 at 3; Ad Hoc Comments at pp. 7-8.

emergencies, when calls are routed to the PSAP from a multi-office company, the PSAP, not the company, should be responsible for insuring that the jurisdictionally correct emergency response team responds to the call.

Finally, the Bureau states that the scope of this comment cycle is to seek comment on Telident's "suggested changes to the Part 68 rules...such as *modifying* the proposed definitions of 'Enhanced 9-1-1 emergency services trunk' and 'Loop simulator circuit'[13]; *defining* 'Multi-frequency signaling' and 'Network-Provided Reverse Battery'; and *specifying* signal power limitations for MF signaling and interface requirements of a MLTS to an E-911 network."[14] The Bureau fails to note, however, that Telident's *ex parte* filing is not new information; rather, it is merely a more skeletal reiteration (in substantial part) of the ideas proposed in Telident's original comments in this proceeding.[15]

As the U.S. patent holder "for the process and technologies involved in providing E-911 call 'station translation' for most PBX systems manufactured today," Telident boasts that it "has perfected the technique of identifying the Caller's Emergency Service Identification (CESID) for the MLTS

---

[13] Public Notice, CC Docket No. 94-102, Released November 25, 1996 ("Public Notice") at 1. While the Public Notice references "loop" simulator circuit, Telident does not propose a definition of "loop" simulator circuit, but rather "line" simulator circuit. "Loop simulator circuit" is the term currently used in the Commission's rules.

[14] *Id.* at 1 (emphasis added).

[15] The proposed definitions of Loop Simulator Circuit, Multi-frequency signaling, and Network-Provided Reverse Battery (including diagram), for example, are exactly the same as the definitions proposed in Telident's original comments.

extension or station that has dialed 911 in an E-911 environment."[16] It comes as no surprise, therefore, that Telident seeks a mandatory regulatory regime for all PBX and other MLTS E-911 compatibility that uses as the national standard Telident's own patented terminology (i.e., CESID) and, by implication, its technologies.[17]

A prime example of Telident's apparent effort to use this proceeding as a means to bolster sales of its own product to the detriment of the public at large is demonstrated by its proposal to use network-provided reverse battery trunks and MF Signaling to send "CESID" information from the MLTS to the PSAP. Most PBX systems to date are not equipped to provide MF Signaling or reverse battery trunks. Even if owners were required, however, to install such capabilities (internally or through a Telident provided adjunct processor) the system may not work because MF Signaling and reverse battery trunks also create significant operational dilemmas for the Regional Bell Operating Companies ("RBOCs").

First, many RBOCs cannot use MF Signaling because MF Signaling is limited to the transmission of seven (7) digits. Given the migration to ten (10) digit numbering schemes in regions facing a number resource problem (for example, the Washington, D.C. area), signaling technology that transmits ten

---

16 Telident Comments at 1-2.

17 The fact that Telident, by its own admission, holds the U.S. patent for these technologies raises very troubling questions regarding the ability of competitors, in the event the Commission does (unwisely) adopt Telident's proposal, to offer the equipment and services necessary to meet the FCC's regulatory requirements.

(10) digits must be used in many areas. Second, network-provided reverse battery trunks work on the assumption that copper wire – not fiber – is the means of transmission from the MLTS to the RBOC. Many employer sites are not served by copper, and in the experience of at least one Ad Hoc member, at least one RBOC is not delivering copper to worksites. Telident's proposal would require significant changes to the MLTS and the public switched network when it is possible to achieve the same result (i.e., prompt response to workplace emergencies) through alternative processes or technology. It would be absurd to adopt rules based on technologies that ignore the current realities and future plans for the development of the public switched network.

For all the foregoing reasons, Ad Hoc urges the Bureau to adopt a more flexible and reasonable approach to E-911 MLTS compatibility than that proposed by Telident in its original comments in this proceeding and as reiterated in Telident's recently-filed *ex parte* comments. In evaluating Telident's *ex parte* filing, Ad Hoc asks the Bureau to consider the Commission's statement

that "the proposed rules should carefully balance the need to achieve compatibility and the need to ensure that equipment owners...are not unduly burdened in implementing such upgrades."[18]

Respectfully submitted,

Ad Hoc Telecommunications
Users Committee

By _____
James S. Blaszak
Mary K. O'Connell
Levine, Blaszak, Block & Boothby
1300 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 223-4980

Dated: December 11, 1996

200.06 Telident.doc

[18] NPRM ¶ 21.

## Certificate of Service

I, Noel Manalo, hereby certify that true and correct copies of the preceding Comments of the Ad Hoc Telecommunications Users Committee in the Matter of Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, Telident Part 68 Ex Parte, CC Docket No. 94-102, were served this 11th day of December, 1996 via hand delivery or first class mail upon the following:

William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Martin Moody
Vice President Advanced Engineering
TELIDENT, INC.
One Main Street SE
Suite 85
Minneapolis, MN 55414*

ITS
1919 M Street, N.W.
Room 246
Washington, D.C., 20554

*via first class mail

Noel Manalo

December 11, 1996

200/06/telicert.doc